



TO: Elizabeth Pauli, City Manager
FROM: Jackie Flowers, Director of Utilities
COPY: City Council and City Clerk
SUBJECT: Resolution – Authorize the Director of Utilities to enter into Interlocal Agreements for Fire Protection and Emergency Medical Services
DATE: February 9, 2021

SUMMARY AND PURPOSE:

To authorize the Director of Utilities to enter into Interlocal Agreements (ILAs) for Fire Protection and Emergency Medical Services with each Fire District outside the City Limits of Tacoma, in which the Department of Public of Utilities has facilities requiring said protection or services on a form approved by the Board and City Council within the cost limits set by Tacoma Municipal Code and the City of Tacoma’s Purchasing Policy. Further, to authorize the Director to make modifications to said form as approved by the City Attorney.

BACKGROUND:

State law at RCW 52.30.020 directs municipal corporations to enter into agreements with Fire Protection Districts pursuant to the Interlocal Cooperation Act (Chapter 39.34 RCW) for fire protection services necessary for the protection and safety of municipal corporation personnel and property outside the municipal corporation city limits. Further, Chapter 39.34 RCW requires interlocal agreements to be approved through appropriate action by the governing body of each contracting party.

On September 12, 1979, the TPU Board adopted Resolution No. U-5732 authorizing the Director of Utilities to enter into agreements with Fire Protection Districts for fire protection and emergency medical services in a form substantially the same as attached thereto. Resolution No. U-5732 further authorized the Director to enter into said agreements in the future provided the Board was informed of the proposed contract dollar amount prior to entry of said agreements.

Real Property Services and TPU Legal have recently reviewed the previous forms and applicable laws associated with fire protection and emergency medical services, and have determined that form changes are necessary to effectively administer future agreements with Fire Protection Districts. Thus, this resolution is intended to supersede and replace U-5732, approve an updated Fire Protection Agreement form, and authorize the Director to sign individual agreements with each Fire District outside the City Limits of Tacoma, in which the Department of Public of Utilities has facilities requiring said protection or services on a form approved by the City Attorney.

Additionally, the proposed resolution is intended to supersede and replace U-5732 to authorize the Director to execute said agreements within the cost limits set by the recently revised Tacoma Municipal Code and the City of Tacoma’s Purchasing Policy and to authorize the Director to modify said Agreements upon approval of the City Attorney.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:



The proposed ILA form, and any future modifications, have been, and will be, developed cooperatively with Fire Protection Districts and the Fire Protection Districts have considered the needs and feedback of the community in which they serve.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility:

The proposed ILA form will help TPU coordinate with various Fire Protection Districts (currently 15) throughout the region to ensure appropriate emergency services are provided to TPU structures, TPU staff, and the general public recreating on TPU property. The ILA form will allow TPU to negotiate with each District individually to meet the needs of the region. As the ILA will address properties located outside the corporate limits of the City of Tacoma, no Equity Index Scores have been identified.

Strategic goals include,

- Livability. Assure outstanding stewardship of the natural and built environment.
- Government Performance. Promote an efficient, fiscally responsible and effective government

ALTERNATIVES:

Presumably, your recommendation is not the only potential course of action; please discuss other alternatives or actions that City Council or staff could take. Please use table below.

| Alternative(s) | Positive Impact(s) | Negative Impact(s) |
|-----------------------|--------------------|--|
| 1. Decline to Approve | None. | Risk of gaps in emergency services to TPU outside City of Tacoma limits. |

EVALUATION AND FOLLOW UP:

Each ILA will be for a 5 year term, so the they will be reviewed and renegotiated regularly by the Director within the cost limits set by the recently revised Tacoma Municipal Code and the City of Tacoma’s Purchasing Policy.

STAFF/SPONSOR RECOMMENDATION:

Authorize the Director to sign and to delegate authority to the Director to negotiate individual agreements with each Fire District outside the City Limits of Tacoma, in which the Department of Public of Utilities has facilities requiring said protection or services on a form approved by the City Attorney.

FISCAL IMPACT:



City of Tacoma

City Council Action Memorandum

These ILAs will be budgeted each biennium, for a total not to exceed the cost limits set by the recently revised Tacoma Municipal Code and the City of Tacoma's Purchasing Policy. Currently, there are 15 ILAs that totaled approximately \$175,000 between 2016 and 2020.

Are there financial costs or other impacts of not implementing the legislation?

No

Will the legislation have an ongoing/recurring fiscal impact?

YES

Will the legislation change the City's FTE/personnel counts?

No

ATTACHMENTS:

Public Utility Board Resolution No. U-5732